

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,

Plaintiff,

V.

DEMETRIUS HARGROVE,

Defendant.

CRIMINAL ACTION

No. 03-20192-CM

ORDER

Pending before the court is Demetrius Hargrove's Request for Relief from Unreasonably Adverse Conditions of Post-Trial Detention (Doc. 371). Defendant, for the fifth time, asks the court for relief from adverse conditions of confinement. Defendant is currently housed at CCA in a segregation unit. The court previously heard testimony from CCA's warden, who explained some of the reasons it has elected to house defendant in segregation. One of the reasons that remains relevant is the fact that defendant is already serving a lengthy prison sentence. Defendant argues that this reason is invalid because at least one other inmate, Edwin Hinestroza, is also serving a lengthy prison sentence, but is being housed in the general population.

The court will again defer to the discretion of CCA officials. Defendant has not provided any information or evidence which convinces the court that it is now appropriate or necessary for the court to override CCA's discretion in managing its facility. Again, the court will leave the matter of where defendant should be housed to prison officials. Defendant's request for another hearing on this issue is denied.

IT IS THEREFORE ORDERED that Demetrius Hargrove's Request for Relief from

Unreasonably Adverse Conditions of Post-Trial Detention (Doc. 371) is denied.

Dated this 14th day of April 2006, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge